REPORT SUMMARY

THIS PROPOSAL HAS BEEN PLACED INTO THE EXPEDITED APPROVAL PROCESS YOUR ATTENDANCE IS NOT REQUIRED BEFORE THE LAND DIVISION COMMITTEE. PLEASE SIGN and RETURN THE 'AGREEMENT TO CONDITIONS' LETTER IMMEDIATELY

Date of Consideration: **September 10, 2015**

File Number: **B70/15**

Applicant: **Werner & Renate Pischel**

Subject Lands: TOWN OF ERIN – Part Lot 9, Concession 10

Proposal is a request for consent to convey fee simple for a proposed severance 50m fr x 80m = 0.4 hectares (1 acre) in the TOWN OF ERIN – Part Lot 9, Concession 10, vacant land for proposed rural residential use; retained lands are 9 hectares (22.2 acres).

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Town of Erin – in support of application; conforms to Official Plan and Zoning – conditions to apply

County Planning - notice cards were posted at time of site visit; no new lot created since March 1, 2005; applicant owned over five years; application is consistent with Provincial Policy; generally conforms to Official Plan – Secondary Agricultural, Core Greenlands and Greenlands – Greenlands System designations appear to be well removed from proposed new lot – features on the lot to the west;

Conservation Authority (Credit Valley) – based on site visit - appears limit of significant woodland is at and/or encroaches slightly on the existing parcel – proposal indicates 25m from existing lot line – may not meet minimum 30m vegetation protection zone under greenbelt plan; woodland boundary should be staked by CVC in field and severance sketch should be revised to indicate 30m minimum from limit of significant woodland

MNR & F – no concerns at this time

Others – Jeff Buisman, agent – cover letter

PROPOSED CONDITIONS of APPROVAL

1) THAT the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
2) THAT the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document including the Form 2 Certificate for Consent B70/15.
3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
5) THAT the Owner provides written confirmation from a licensed septic installer that the existing septic system is functioning properly and the required setbacks from property boundaries are in compliance with the Ontario Building Code to the satisfaction of the Town of Erin; and further that the Town of Erin file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition
6) THAT the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
7) THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
8) THAT the owner satisfy the requirements of the Town of Erin concerning road widening conveyances along the frontage of the severed and retained parcel; and that the Town of Erin files with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
9) THAT the Owner provide a survey confirming the location of the proposed entrance that should meet the standards outlined in the entrances by-law 10-47 to the satisfaction of the Town of Erin; and further that the Town of Erin file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition
10) THAT the owner provide a predevelopment site drainage and grading plan to the satisfaction of the Town of Erin (denoting the existing lot elevations, proposed driveway, buildings/septic field location and existing

overland flow together with proposed elevations and grading, demonstrating that drainage and grading do not impact on adjacent properties or trees noted for preservation); and that the Town of Erin files with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
11) THAT the severance sketch be revised to indicate 30m minimum from the limit of the significant woodland to the satisfaction of the Credit Valley Conservation Authority; and further that the Credit Valley Consercation Authority file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

*****Conditions may be deleted, added to, or changed at meeting*****

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph, ON N1H 3T9

August 27, 2015

NOTICE OF CONSIDERATION IN PUBLIC FORUM

Pursuant to SECTION 53 of the ONTARIO PLANNING ACT and applicable Regulations

with respect to Application for consent,

File B70/15

APPLICANT

Werner & Renate Pischel
2102 Glenforest Crescent
Oakville ON L6J 2G4

LOCATION OF SUBJECT LANDS:

TOWN OF ERIN
Part Lot 9
Concession 10

Proposed severance is 50m fr x 80m = 0.4 hectares, vacant land for proposed rural residential use.

Retained parcel is 9 hectares with 64m frontage, existing and proposed residential use with existing dwelling and shed.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, September 10, 2015**

for the purpose of considering this **EXPEDITED APPLICATION.**

CONSIDERATION WILL BE HELD IN THE: 3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR IS NOT REQUIRED TO ATTEND**. MAKE SURE THAT THE AGREEMENT LETTER IS SIGNED AND RETURNED TO THE PLANNING AND LAND DIVISION COMMITTEE OFFICE.

Please also be advised that if a person or public body that filed an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

A Copy of the **DECISION** of the Committee will be sent **to the applicant, and to each person or agency who filed with the Secretary-Treasurer a written request for Notice of Decision.**

Additional Information regarding the application is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office, 74 Woolwich St. Guelph ON N1H 3T9

Phone - (519) 837-2600 x2170 Fax – (519) 837-3875

To view comments for this application on our website www.wellington.ca follow these steps:

- ⇨ **Government**
- ⇨ **Council and Standing Committees**
- ⇨ **Land Division Committee**
- ⇨ **choose month & year in drop down menus**
- ⇨ **Choose Land Division Committee in the drop down menu**
- ⇨ **open appropriate agenda**

TO: **Agent – Jeff Buisman**

RECEIVED

AUG 1 2 2015

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

MUNICIPALITY COMMENTING FORM

The Planning and Land Division Committee, in considering the following application, respectfully requests input from the municipality. The Application and Sketch are enclosed for your information.

FILE NO: B70/15

APPLICANT

Werner & Renate Pischel
2102 Glenforest Crescent
Oakville ON L6J 2G4

LOCATION OF SUBJECT LANDS

TOWN OF ERIN
Part Lot 9
Concession 10

Proposed severance is 50m fr x 80m = 0.4 hectares, vacant land for proposed rural residential use.

Retained parcel is 9 hectares with 64m frontage, existing and proposed residential use with existing dwelling and shed.

RECEIVED

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 3-12400 JUL 1 4 2015

TOWN OF ERIN

Does this description reasonably describe the parcel holdings? YES(x) NO( )

If answer is no, please provide new information: _____

Do you consider this proposal to conform to your Official Plan? YES(x) NO( )

What Section(s) does it conform to or contravene? (Please specify)

_____

_____

Will the Severed Parcel comply with all requirements of the Zoning By-law? YES [x] NO [ ]

(Please Specify) _____

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES [x] NO [ ]

(Please Specify) _____

If Necessary, would the Municipality be prepared to consider an **Amendment** to the Zoning By-Law to permit the proposal to conform? YES( ) NO( ) N/A( ) or **Minor Variance** YES( ) NO( ) N/A( )

Is proposal on an opened maintained year-round public road YES(x) NO( )
If answer is NO, is municipality willing to enter into an agreement regarding use of the seasonal road, or opening up the road ?

Please specify _____

_____

Is the Proposed Lot(s) serviced now by Municipal Water YES( ) NO(x)

Is the Retained Lot serviced now by Municipal Water YES( ) NO(x)

Is the Proposed Lot(s) serviced now by Municipal Sewers YES( ) NO(x)

Is the Retained Lot serviced now by Municipal Sewers YES( ) NO(x)

Is there a **Capital Works Project** underway to service these lots in the near future YES( ) NO(x)

Approximate Time of Servicing Availability: _____

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B70/15

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?
YES [x] NO [ ]

Is there any further information that may assist the Planning and Land Division Committee?
[A letter may be attached if there is insufficient space to explain]

Is the Municipality in support of this application? **YES(x) NO( )**

What Conditions, if any, are requested by the Municipality if the Consent is granted?

See attached

Does the Municipality request a Notice of the Decision? YES(x) NO( )

SIGNATURE Jess Wu

TITLE: Building and Planning Assistant

ADDRESS: 5684 Trafalgar Rd, Hillsburgh ON

DATE: August 10, 2015

Corporation of the Town of Erin
5684 Trafalgar Road
RR2 Hillsburgh ON N0B 1Z0
(519) 855-4407 Ext. 240 Fax: (519) 855-4281
EMAIL: Jessica.wilton@erin.ca

Severance Application Recommendation

To: County of Wellington Land Division Committee
From: Jessica Wilton, Building & Planning Assistant
Date: August 10, 2015
Applicant: Werner & Renate Pischel
Location: Part Lot 9, Concession 10
File: B70/15

Official Plan: Secondary Agricultural and Greenlands
Zoning: A - Agricultural

Recommendation: The Town of Erin relies on the County of Wellington to confirm compliance with Minimum Distance Separation Formulae. The Town of Erin requests that the following conditions of approval be required. The Town of Erin will file clearance of these conditions with the Secretary-Treasurer of the Committee of Adjustment once the conditions have been fulfilled.

1. That the owner provides written confirmation from a licensed septic installer that the existing septic system is functioning properly and the required setbacks from property boundaries are in compliance with the Ontario Building Code.

2. That the owner pay parkland dedication and satisfy any other requirements of the local municipality, financial and otherwise to which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands.

3. Request a 3m road widening on the severed and retained parcels, anything beyond that is beyond the control of the applicant.

4. Provide a survey confirming the location of the proposed entrance that should meet the standards outlined in the entrance by-law 10-47.

5. That the owner provide a predevelopment site drainage and grading plan to the satisfaction of the Town of Erin, denoting the existing lot elevations, proposed driveway, buildings/septic field location and existing overland flow together with proposed elevations and grading, demonstrating that drainage and grading do not impact on adjacent properties or trees noted for preservation.

Planning and Development Department | County of Wellington
County Administration Centre | 74 Woolwich Street | Guelph ON N1H 3T9
T 519.837.2600 | F 519.823.1694

RECEIVED
JUL 29 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B70/15
Location	Part Lot 9, Concession 10 TOWN OF ERIN
Applicant/Owner	Werner & Renate Pischel

PLANNING OPINION: This application would sever a vacant 0.4 ha (1 ac) rural residential lot in a Secondary Agricultural area. A 9 ha (22.2 ac) parcel would be retained with an existing dwelling and shed.

This application is consistent with Provincial policy and would generally conform to the Official Plan, provided that servicing can be accommodated and that the following matters are addressed as conditions of approval:

a) That any concerns of the Conservation Authority are addressed; and,
b) That safe driveway access can be provided to the Town's satisfaction.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): With respect to Minimum Distance Separation 1 (MDS1), there are no barns within 500 m.

GREENBELT PLAN: The subject property is within the Natural Heritage System. It is our understanding from the application materials that a buffer is needed between the proposed lot and feature to the west.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The Greenlands System designations appear to be well removed from the proposed new lot, but there are features on the lot to the west.

According to Section 10.4.4, one new residential lot may be allowed from a parcel of land within the Secondary Agricultural designation, which existed on March 1, 2005, subject to the following criteria:

a) The lot generally meets a 0.4 ha minimum lot size and is not larger than needed to accommodate the intended residential use, consisting of the dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage features, hazardous lands, and Minimum Distance Separation requirements;
b) The accessory buildings referred to in a) above may include a hobby barn, subject to local regulations;
c) The lot has access to an open public road;
d) The residential use will not hinder or preclude the present use or future potential for agricultural or mineral aggregate operations;
e) The residential use is compatible with surrounding development;
f) The use is well removed from any settlement boundary;
g) The lands have been owned by the applicant for at least five years.

With respect to alternate lot locations, we would prefer a lot shifted 25 m to the west, but understand that the current configuration satisfies Conservation Authority concerns with respect to Greenbelt Plan conformity.

No new lots have been created on the parcel since March 1, 2005 and the lands have been owned by the applicant for over five years.

The matters under Section 10.1.3 were also considered including b) "that all lots can be adequately serviced with water, sewage disposal.....to accepted municipal standards", d) "that all lots will have safe driveway access to an all-season maintained public road" and m) "that all new lots shall have logical lot lines given existing lot patterns in the area, natural and human-made features and other appropriate considerations".

LOCAL OFFICIAL PLAN: The subject property is designated Secondary Agricultural and Greenlands.

LOCAL ZONING BY-LAW: The subject property is zoned Agricultural (A). Both lots would meet the minimum lot area and frontage requirements.

SITE VISIT INFORMATION: The subject property was visited and photographed on July 27, 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Sarah Wilhelm, MCIP, RPP, Senior Planner
July 28, 2015

August 5th, 2015

County of Wellington
Land Division Committee
74 Woolwich Street
Guelph, ON N1H 3T9

Attention Deborah Turchet, Secretary-Treasurer

Dear Ms. Turchet:

Re: CVC File No. B 15/070
Your File No. B 70/135
Werner & Renate Pischel
Lot 9, Concession 10
Town of Erin

Staff of Credit Valley Conservation (CVC) has now reviewed the above-noted application and we provide the following comments for your consideration:

PURPOSE:
The purpose of this application is to sever a lot 50m frontage x 80m = 0.4 ha, vacant land for proposed rural residential use.

Retained parcel is 9 hectares with 64m frontage, existing and propose residential use with existing dwelling and shed.

SITE CHARACTERISTICS:

The entire property falls within the Protected Countryside of the Greenbelt Plan Area and is entirely designated as part of its Natural Heritage System. The property contains significant woodland and portions of the Eramosa River – Blue Springs Creek Provincially Significant Wetland Complex (PSW).

ONTARIO REGULATION NO. 160/06:
The subject property is located within the Authority's Regulated Area. As such, the parcel is subject to CVC Regulation of Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses (Ontario Regulation No. 160/06). This regulation prohibits altering a watercourse or wetland, and prohibits development (e.g. new structures. additions, site grading) in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands (floodplain, erosion), and wetlands without the prior written approval of CVC (i.e. the issuance of a permit). The property is regulated due to the presence of a watercourse, floodplain and wetlands.

COMMENTS:
CVC staff conducted a site visit July 23, 2015. Based on the site visit, it appears as though the limit of the significant woodland is at and/or encroaches slightly on the existing parcel. The proposal indicates +/- 25m from the existing lot line and therefore may not meet the minimum 30m vegetation protection zone (VPZ) under the

Greenbelt Plan. The woodland boundary should be staked by CVC in the field and the severance sketch should be revised to indicate 30m minimum from the limit of the significant woodland.

We trust that these comments are sufficient. If you have any questions or concerns, please do not hesitate to contact the undersigned at 905-670-1615 (x. 245).

Yours truly,

Suzie Losiak
Planner

cc: **Town of Erin**

Werner & Renate Pischel
2102 Glenforest Crescent
Oakville, ON N6J 2G4

Jana Poechman

From: McKenna, Tara (MNRF) <Tara.McKenna@ontario.ca>
Sent: August 10, 2015 4:08 PM
To: Jana Poechman
Cc: Mark Van Patter
Subject: FW: Werner and Renate Pischel consent application (File No: B70/15)
Attachments: B70-15 MNR.PDF

Hi Jana,

Please see comments provided to Mark below.

Thanks,

Tara

Tara McKenna, M.Pl.
District Planner
Ministry of Natural Resources and Forestry, Guelph District
1 Stone Road West
Guelph ON, N1G 4Y2
(P) 519-826-4912
(F) 519-826-4929
email: tara.mckenna@ontario.ca

From: McKenna, Tara (MNRF)
Sent: August-10-15 3:55 PM
To: 'Mark Van Patter'
Cc: Marriott, David (MNRF); Thompson, Melinda (MNRF)
Subject: Werner and Renate Pischel consent application (File No: B70/15)

Hi Mark,

Ministry staff have reviewed the Werner and Renate Pischel consent application (File No: B70/15) for any species at risk information that may be relevant for the subject property. Based on our records and review of aerial imagery for the property, MNRF has no concerns at this time.

However, it is recommended that the proponent be made aware that the ESA is dynamic legislation, which is updated periodically. The ESA may be amended as a result of species assessment and re-assessment, which can change the level of protection for species' and their habitats. More information about the ESA can be accessed on this webpage: http://www.ontario.ca/environment-and-energy/how-get-endangered-species-act-permit-or-authorization.

I hope these comments are of assistance.

Regards,

Tara

Tara McKenna, M.Pl.
District Planner
Ministry of Natural Resources and Forestry, Guelph District
1 Stone Road West
Guelph ON, N1G 4Y2
(P) 519-826-4912

B70/15

Van Harten
SURVEYING & ENGINEERING

July 6, 2015
Jeff.Buisman@vanharten.com
22903-15

County of Wellington Land Division Committee
74 Woolwich Street
GUELPH, Ontario
N1H 3T9

Attention: Ms. Deborah Turchet

Dear Ms. Turchet:

Re: **Severance Sketch and Application**
5230 Tenth Line
Part of Lot 9, Concession 10
PIN 71159-0051
Township of Erin

Please find enclosed an application for a severance on the above-mentioned property. Included with this submission are copies of the severance sketch, completed application form, required deeds, addresses of neighbouring properties, a cheque to Wellington County for $ 1,000 and a cheque to CVCA for $410.

Proposal

The proposal is to create a new rural residential parcel of 50±m wide and 80±m deep (0.4 ha) along the front limit of the subject lands. The retained lands will have a remaining area of 9±ha where the current dwelling and shed will remain.

The preferred location of the new parcel is in the northwest corner of the property. However, because of the existence of Natural Heritage Features under the Greenbelt Plan near the northwest property line, the severance was shifted 25m southeast along the front limit so the new property line is 30m from the Natural Heritage Features. As a result, the retained parcel has two frontages of 25± m and 39±m.

We reviewed the Official Plan criteria in section 10.4.4 for a proposed severance and we provide the opinion that the relevant criteria are met including the following:

- The severed lands are designated Secondary Agricultural
- Ownership is longer than 5 years
- No severance since March 2005
- Safe entrance
- Adequate space for new dwelling and septic

Please call me if you or the Planning Staff have any questions.

Very truly yours,
Van Harten Surveying Inc.

Jeffrey E. Buisman B.E.S, B.Sc.
Ontario Land Surveyor

JEB:lb

c.c. Werner Pischel